

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----x
5 FERNANDO HERNANDEZ, KENNETH CHOW,
6 BRYANT WHITE, DAVID WILLIAMS, MARQUIS ACKLIN,
7 CECILIA JACKSON, TERESA JACKSON,
8 MICHAEL LATTIMORE, and JUANY GUZMAN, Each
9 Individually, And On Behalf Of All Other
10 Persons Similarly Situated,

11 Plaintiffs,

12 -against-

13 Index No:
14 12 CV 4339 (ALC) (JLC)

15 THE FRESH DIET, INC., LATE NIGHT EXPRESS
16 COURIER SERVICES, INC. (FL), FRESH DIET EXPRESS
17 CORP. (NY), THE FRESH DIET - NY INC. (NY),
18 FRESH DIET GRAB & GO, INC. (FL) a/k/a
19 YS CATERING HOLDINGS, INC. (FL) d/b/a
20 YS CATERING, INC. (FL), FRESH DIET EXPRESS
21 CORP. (FL), SYED HUSSAIN, Individually,
22 JUDAH SCHLOSS, Individually, and ZAIMI DUCHMAN,
23 Individually,

24 Defendants.
25 -----x

26
27 EXAMINATION BEFORE TRIAL of the
28 Plaintiff, MARQUIS ACKLIN, taken by the
29 Defendant, pursuant to Notice, held at the
30 offices of Kaufman, Dolowich, Voluck & Gonzo
31 LLP, 100 William Street, Suite 215, New York,
32 New York 10038, on October 2, 2013, at 10:50
33 a.m., before a Notary Public of the State of
34 New York.
35

1 A P P E A R A N C E S:

2

3

4 THE HARMAN FIRM, PC

5 Attorney for Plaintiffs

6 200 West 57th Street, Suite 900

7 New York, New York 10019

8

9 BY: PETER J. ANDREWS, ESQ.

10

11

12 KAUFMAN, DOLOWICH, VOLUCK & GONZO LLP

13 Attorneys for Defendants

14 135 Crossways Park Dr., Suite 201

15 Woodbury, New York 11797

16

17 BY: YALE POLLACK, ESQ.

18

FILE #: 055611-0002

19

20

21 ALSO PRESENT:

22 TERESA JACKSON

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and between the attorneys for the respective parties herein, that filing, sealing and certification, and the same are, hereby waived.

IT IS FURTHER STIPULATED AND AGREED that all objections except as to the form of the question, shall be reserved to the time of the trial.

IT IS FURTHER STIPULATED AND AGREED that the within deposition may be signed and sworn to by an officer authorized to administer an oath, with the same force and effect as if signed and sworn to before the Court.

1 M. Acklin

2 to the summertime of 2011 you were working in
3 the kitchen in Siegel Street for The Fresh
4 Diet?

5 MR. ANDREWS: Objection.

6 A. Can you repeat that?

7 Q. Is it fair to say that from about
8 March 2011 until the summertime of 2011,
9 whenever --

10 A. Yeah.

11 Q. -- the location moved, that you worked
12 in the kitchen for The Fresh Diet?

13 A. Yeah.

14 Q. After the move to Baltic until you ended
15 your employment with The Fresh Diet in or about
16 September or October 2011, you said you worked
17 in the warehouse?

18 A. Yeah.

19 Q. What were you doing in the warehouse?

20 A. Packing bags, like putting ice in bags
21 and bringing it to the packers.

22 Q. Bringing it to packers?

23 A. Yeah.

24 Q. What do the packers do?

25 A. They pack the food, put the food in the

1 M. Acklin

2 bags.

3 Q. Do you know what would happen to the
4 food after the packers put it in the bags?

5 MR. ANDREWS: Objection.

6 A. Then the delivery drivers deliver --
7 deliver the bags, pick the bags up.

8 Q. Was it put in a certain area for the
9 delivery drivers to pick it up?

10 MR. ANDREWS: Objection.

11 A. I don't know. I didn't stay that long
12 for that part.

13 Q. How did your employment end? Why did it
14 cease in or about September or October 2011?

15 A. I moved -- because I moved to
16 Mount Kisco, and the train cost too much.

17 Q. You resigned?

18 A. Yeah.

19 Q. After you resigned, you filed for
20 unemployment?

21 A. Yes.

22 MR. ANDREWS: Objection.

23 Q. Was there any type of hearing for the
24 unemployment?

25 A. I don't remember.

1 M. Acklin

2 A. Yeah, but it was usually the same thing.

3 Q. Do you remember how many it usually was?

4 A. I think around -- like around fifteen to
5 twenty-five.

6 Q. Do you remember how you were paid at
7 that time?

8 A. I think it was \$0.53 a mile.

9 Q. Anything per stop?

10 A. A dollar for each stop.

11 Q. What was the earliest you would be done
12 performing deliveries when it was in the
13 New Jersey location?

14 MR. ANDREWS: Objection.

15 A. I think around -- around 3:00.

16 Q. 3:00 a.m.?

17 A. Yeah.

18 Q. What would be the latest you would be
19 done?

20 A. 6:00.

21 Q. 6:00 a.m.?

22 A. (Witness nods head.)

23 Q. Just to be clear, you'd start delivering
24 on the evening of one night and end the morning
25 of the next day?

1 M. Acklin

2 A. Yeah.

3 Q. When The Fresh Diet was in the New

4 Jersey location, you were performing deliveries

5 only in New Jersey and New York?

6 A. Yeah.

7 Q. Would you travel between New Jersey and

8 New York on the same night?

9 A. Sometimes on the same night, sometimes

10 like in the morning.

11 Q. Sometimes it was only in New Jersey?

12 A. Wait. Can you repeat that?

13 Q. When you were given a route --

14 A. Yeah.

15 Q. -- was it always in New Jersey and

16 New York --

17 A. Yeah.

18 Q. -- on the same night?

19 A. Yeah, on the same night.

20 Q. You may start the deliveries in

21 New Jersey and end in New York?

22 A. Yeah.

23 Q. When you were done, what would you do?

24 MR. ANDREWS: Objection.

25 A. Go home.

1 M. Acklin

2 Q. Did you call anyone?

3 Did you call Syed after you were done
4 performing deliveries?

5 A. Sometimes.

6 Q. When would you call him?

7 What would cause you to call him --

8 MR. ANDREWS: Objection.

9 Q. -- sometimes but not all times?

10 A. Sometimes he told us to call him when we
11 finished.

12 Q. You didn't always call him?

13 A. No.

14 Q. You said the, I think, facility moved to
15 Connecticut at some point; is that correct?

16 A. Yeah.

17 Q. Do you remember where in Connecticut?

18 A. In Stamford.

19 Q. Stamford?

20 A. Yeah.

21 Q. Do you remember when that was?

22 A. I don't remember.

23 Q. Did your duties change when it moved
24 from New Jersey to Stamford?

25 A. Yeah.

1 M. Acklin

2 A. I picked up the bags. Sometimes I
3 helped them pack, but usually I picked up the
4 bags, put them in my car.

5 Q. Would you start making deliveries as
6 early as 3:00 p.m.?

7 A. No.

8 Q. When was --

9 A. Yeah, like sometimes like I would leave
10 about 3:00 something or around 6:00, sometimes
11 8:00.

12 Q. The food was sometimes ready by
13 3:00 p.m.?

14 A. Yeah. Sometimes around 6:00, sometimes
15 8:00, later.

16 Q. Sometimes later than 8:00?

17 A. Yeah.

18 Usually, it was around -- they finished
19 around -- I think around 4:00 to 6:00.

20 Q. How would you know when to show up?

21 A. Sometimes -- sometimes -- sometimes he
22 tell us, or sometimes we just show up around a
23 certain time he give us.

24 Q. Were you expected to show up at a
25 certain time when it was at the Brooklyn

1 M. Acklin

2 you started?

3 A. Before I started.

4 Q. Other than where the customer may want
5 the food placed, did you receive any other
6 instructions?

7 A. No. We just leave it at the front door.

8 Q. These are stand-alone residences that
9 we're talking about?

10 MR. ANDREWS: Objection.

11 A. Yeah. Some are houses, some are
12 buildings.

13 Q. If you went to a building, where would
14 you leave the meal?

15 A. Sometimes in the lobby or at their front
16 door.

17 Q. Going on in that paragraph, the last
18 sentence of paragraph three says, "After
19 completing my meal deliveries, I would have to
20 return to the Fresh Diet's Brooklyn facilities
21 to report back, complete required paperwork,
22 and return empty bags".

23 Do you see that sentence?

24 A. Yes.

25 Q. When did you have to start reporting

1 M. Acklin

2 back to the facility after you were done
3 performing your deliveries?

4 A. In -- the next day when I returned to
5 work.

6 Q. When you returned to work to deliver
7 meals the next day?

8 A. Yeah.

9 Q. You didn't have to report back at the
10 end of the deliveries?

11 A. No, but -- no.

12 Q. When would you complete required
13 paperwork?

14 A. When I was on my route and when I
15 finished my route.

16 Q. Did you ever have to hand that in?

17 A. Yeah, when I came in. Sometimes I would
18 hand it in when I came in.

19 Q. The following day?

20 A. Yeah, sometimes.

21 Q. What about other times?

22 A. Sometimes I keep it.

23 Q. And you didn't hand it in?

24 A. No.

25 Q. How would Syed know what to pay if you

1 M. Acklin

2 as I got there, sometimes when I was leaving.

3 Q. You would fill it out either before or
4 after you performed that delivery?

5 A. Yeah.

6 Q. Did you ever fill it out at the end of
7 the night?

8 A. No, at my last stop.

9 Q. At the last stop?

10 A. Yeah.

11 Q. Did you ever get a warning if you didn't
12 hand in the paperwork the next day?

13 MR. ANDREWS: Objection.

14 A. Yeah.

15 Q. When?

16 A. A warning for what?

17 Q. For not handing in the paperwork the
18 following day.

19 A. No.

20 Q. You never got a warning for that?

21 A. Yeah.

22 Q. Yes, you never got a warning for that?

23 A. No.

24 Q. You were never warned for not handing in
25 paperwork; is that correct?

1 M. Acklin

2 A. My aunt.

3 Q. Any others? You can list them all.

4 A. I don't remember the rest other than
5 Kenneth.

6 Q. Kenneth Chow?

7 A. Yeah.

8 Q. How do you know that your experiences
9 were typical of their experiences?

10 MR. ANDREWS: Objection.

11 A. I don't know.

12 Q. Do you know if your duties, tasks, and
13 responsibilities were the same as the other
14 drivers?

15 A. Yes.

16 Q. How do you know that?

17 A. Because sometimes I did stops for other
18 drivers.

19 Q. Like who?

20 A. I don't remember.

21 Q. How would that come about?

22 MR. ANDREWS: Objection.

23 A. They asked me to do a favor for them.
24 Like Syed asked me to do bags like if they left
25 a bag or something.

1 M. Acklin

2 location?

3 A. The Nissan Versa.

4 Q. What about from the Connecticut
5 location?

6 A. The Nissan Versa, and then -- and then I
7 used a van from the job.

8 Q. What about from Brooklyn?

9 A. From Brooklyn, I used a company van, and
10 then I was using my car.

11 Q. Which car?

12 A. The Versa, the Sienna, and the Passat.

13 Q. You used all three of those cars when
14 you were performing deliveries from the
15 Brooklyn facility?

16 A. Yeah.

17 Q. When you say "company van," what do you
18 mean?

19 A. It was a van that they gave to me to do
20 the route.

21 Q. How often would you get a van?

22 A. When I -- when I started delivering the
23 bags to the Philly drivers, to Princeton,
24 New Jersey.

25 Q. Did you have insurance for the cars that

1 M. Acklin

2 you used when you were performing deliveries?

3 A. Yeah.

4 Q. Did you pay for that insurance?

5 A. Sometimes.

6 Q. Who else would pay for it on other
7 times?

8 A. My mother.

9 Q. Did you ever get reimbursed by
10 The Fresh Diet for the insurance payments?

11 A. No.

12 Q. Who was the insurance through?

13 A. I don't remember.

14 (Whereupon, Manifest was marked
15 as Defendant's Exhibit 44, for
16 identification, as of this date.)

17 Q. I'm now showing you what's been marked
18 for identification as Defendant's Exhibit 44
19 and Bate stamp numbered FD004193 to FD004264,
20 and I'm going to ask if, before today, you've
21 ever seen the documents in Defendant's
22 Exhibit 44 (handing).

23 A. Yes.

24 Q. What are those documents?

25 A. This is a manifest we use to do the

1 M. Acklin

2 Q. A physical copy of it?

3 A. Yeah.

4 MR. ANDREWS: Objection.

5 Q. You refer to Defendant's Exhibit 44 as a
6 manifest, correct?

7 A. Yes.

8 Q. When would you receive this document?

9 A. When I got to the kitchen.

10 Q. Before you started performing
11 deliveries?

12 A. Yeah.

13 Q. This would contain a date, the number of
14 miles, and the number of stops you were to make
15 for that night?

16 A. Yes.

17 MR. ANDREWS: Objection.

18 Q. Did you take any breaks during the time
19 you performed deliveries?

20 A. Sometimes.

21 Q. What would you take a break for?

22 A. To eat.

23 Q. Anything else?

24 A. That's it.

25 Q. Ever to get gas or go to the restroom?

1 M. Acklin

2 A. Yeah. Gas, yeah.

3 Q. Go to the restroom?

4 A. Yeah.

5 Q. Did you ever keep receipts of the food
6 you bought or the gas you purchased during the
7 deliveries?

8 A. I have some -- I have some gas receipts.

9 Q. Some gas receipts?

10 A. Yeah.

11 Q. Did you ever submit them to Syed to seek
12 reimbursement for the gas?

13 A. No.

14 Q. Did you pay for your own maintenance of
15 your car?

16 A. Yes.

17 Q. Did you pay for your own repairs for the
18 car?

19 A. Yes.

20 Q. Did you ever seek reimbursement from
21 Fresh Diet for those expenses?

22 A. No.

23 I had gas for when I was driving the
24 company van, but for my own car, I paid my own
25 gas.

1 M. Acklin

2 Q. Where would you take a break to eat
3 during deliveries?

4 MR. ANDREWS: Objection.

5 A. Fast food or drive-through.

6 Q. Would you ever go into a restaurant?

7 A. No.

8 Q. Only drive-through?

9 A. Yeah.

10 Q. Did you ever go into a grocery or 711?

11 A. Yeah, 711.

12 Q. Did you ever tell Syed or anyone else at
13 The Fresh Diet or Late Night that you were
14 taking a break to eat?

15 MR. ANDREWS: Objection.

16 A. No.

17 Q. Did you ever say if you were taking a
18 break to get gas?

19 MR. ANDREWS: Objection.

20 A. No.

21 Q. Did you ever take any vacations at any
22 point during the time you performed meal
23 deliveries?

24 A. No.

25 Q. Were you ever sick?

1 M. Acklin

2 A. No. No.

3 Q. Did you hold any other jobs during the
4 time you were performing deliveries for
5 Late Night?

6 A. In the beginning, but I had to quit in
7 the beginning so I could do this job.

8 Q. What were you doing in the beginning?

9 A. I had a paper route too.

10 Q. When was that?

11 A. In 2007.

12 Q. What were the hours of that job?

13 A. Around -- around 3:00 to 6:00.

14 Q. 3:00 p.m. to 6:00 p.m.?

15 A. Yeah.

16 Q. What was the name of that company?

17 A. At the beginning, I was helping them do
18 some stops. Then I quit my job, and I got my
19 own route.

20 Q. What was the name of the company you
21 were performing the paper route for?

22 A. PCF.

23 Q. PCF?

24 A. Yeah.

25 Q. The company you're currently --

1 M. Acklin

2 MR. ANDREWS: Objection.

3 A. Can you repeat the question?

4 Q. Did you receive compensation for the
5 deliveries you performed as a driver --

6 A. Yeah.

7 Q. -- for the beginning of 2011?

8 A. Did I -- can you repeat it again?

9 MR. POLLACK: Can you repeat it?

10 (Whereupon, the record was read
11 by the reporter.)

12 A. Yes.

13 Q. Do you know how much you --

14 A. I think this is from the driver
15 (indicating). I don't remember which one it's
16 from.

17 Q. Did you file tax returns in 2007?

18 A. No.

19 Q. Did you file tax returns in 2008?

20 A. What's the tax returns for?

21 Q. What's that?

22 A. What's the tax returns for?

23 Q. To pay taxes.

24 A. Yeah. Yeah.

25 Q. In 2008?

1 M. Acklin

2 MR. ANDREWS: Objection.

3 A. I think it -- yeah, I think in 2008 or
4 2009.

5 Q. Do you know what tax forms you filled
6 out?

7 A. I don't remember.

8 Q. Did you file tax returns in 2009?

9 A. I don't remember.

10 Q. Did you file tax returns in 2010?

11 A. I don't remember.

12 Q. Did you file tax returns in 2011?

13 A. No.

14 Q. Do you ever go to an accountant to
15 discuss taxes?

16 A. Yes.

17 Q. When?

18 MR. ANDREWS: Objection.

19 A. I think it was -- I think it was 2009.

20 Q. Was this an individual you went to or a
21 firm?

22 A. I don't remember.

23 Q. If I left a space in the record for you
24 to insert that information, do you have
25 anything you can go back to to find that

1 M. Acklin

2 information?

3 A. I think so.

4 Q. I'm going to leave a space in the
5 record, and when you get a copy of the
6 transcript, if you can remember the name of
7 that accountant --

8 A. All right.

9 Q. -- just insert it in the record.
10 Okay?

11 A. All right.

12 (INSERT)

13 Q. To the extent you can locate any tax
14 returns you may have filed between 2007 and
15 2011, I'm going to ask for the production of
16 those tax returns.

17 Okay?

18 A. All right.

19 Q. Did you have health insurance during the
20 time you were performing work as a driver for
21 Fresh Diet?

22 A. No.

23 Q. Did you receive any other benefits or
24 any benefits from The Fresh Diet for the period
25 you were performing deliveries?

1 M. Acklin

2 MR. ANDREWS: Objection.

3 A. No.

4 Q. No?

5 A. (Witness shakes head.)

6 Q. If you can, just verbally answer.

7 A. No.

8 Q. Do you know the name Judah Schloss?

9 A. Yes.

10 Q. Who do you know Judah Schloss to be?

11 A. One of the owners.

12 Q. Of what?

13 A. Of Fresh Diet.

14 Q. Did you ever have any personal
15 interaction with him?

16 A. Yeah, I spoke to him before.

17 Q. When?

18 A. I think 2011.

19 Q. Was this when you were in the kitchen?

20 A. Yeah.

21 Q. Did you speak to him on more than one
22 occasion?

23 A. Yeah.

24 Q. How often?

25 A. Not that much.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS	EXAMINATION BY	PAGE
Marquis Acklin	Yale Pollack	4

E X H I B I T S

DEFENDANT'S	DESCRIPTION	PAGE
41	Notice of EBT	15
42	Verification	17
43	Class action affidavit	28
44	Manifest	62
45	2010 1099	73
46	2010 1099	73
47	2011 1099	73

REQUESTS FOR PRODUCTION

DESCRIPTION	PAGE
Tax returns filed between 2007-2011	79

INSERTS

DESCRIPTION	PAGE
Name of accountant	79


C E R T I F I C A T E

I, MELISSA KAHANE, hereby certify that the Examination Before Trial of Marquis Acklin was held before me on the 2nd day of October, 2013; that said witness was duly sworn before the commencement of his testimony; that the testimony was taken stenographically by myself and then transcribed by myself; that the party was represented by counsel as appears herein;

That the within transcript is a true record of the Examination Before Trial of said witness;

That I am not connected by blood or marriage with any of the parties; that I am not interested directly or indirectly in the outcome of this matter; that I am not in the employ of any of the counsel.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, 2013.



MELISSA KAHANE

1		
2		ERRATA SHEET
3	PAGE/LINE	CORRECTION
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

A				
ability 5:16	affidavit 28:15	44:19 80:6	74:17,21 78:25	67:21 69:2,14
accountant	84:11	answers 5:3	82:24	69:18
78:14 79:7	agency 75:21	apartment 4:12	background	breakfast 41:14
84:23	AGREED 3:4,9	11:22,23 12:9	12:14	breaks 67:18
accurately 74:8	3:14	32:13,15	bag 15:2 33:3	Bridge 47:9
Acklin 1:4,18	agreement 27:16	appears 14:15	41:10,12,13,17	bring 39:4
4:9,14 5:1 6:1	28:8	85:11	41:18 49:22	bringing 24:21
7:1 8:1 9:1	agreements 7:9	application	55:22 56:2,4	24:22
10:1 11:1 12:1	ALC 1:8	27:19	59:25	Bronx 11:25
13:1 14:1 15:1	alcohol 5:13	April 10:20	bags 24:20,20	32:5 74:7
16:1 17:1 18:1	amount 7:21,23	17:16	25:2,4,7,7 33:2	Brooklyn 22:24
19:1 20:1 21:1	8:5 40:9 53:7	area 25:8	33:3 34:6,8,9	30:11,18 31:3
22:1 23:1 24:1	ANDREWS 2:9	arrival 34:5	34:13 39:3,4	31:12 35:3
25:1 26:1 27:1	7:4,7 8:19,23	arrive 33:8,18	39:12,15,17,20	43:24 44:3
28:1 29:1 30:1	14:12 16:16,23	40:14	39:25 41:5,5	47:14 48:25
31:1 32:1 33:1	18:13,18,22	arrived 34:4	42:9 48:2,4	51:20 61:8,9
34:1 35:1 36:1	20:3,10 22:15	47:24 53:22	49:21,22 51:22	61:15
37:1 38:1 39:1	22:18 23:24	asked 13:20	53:15,17,18	BRYANT 1:4
40:1 41:1 42:1	24:5 25:5,10	59:23,24	59:24 61:23	building 51:13
43:1 44:1 45:1	25:22 28:2,9	asking 4:19	82:23	buildings 51:12
46:1 47:1 48:1	28:22 29:14	65:11	Baltic 23:3,6,10	
49:1 50:1 51:1	30:2,24 31:10	asserting 14:22	23:13,16 24:14	C
52:1 53:1 54:1	33:10 34:15	assigned 55:16	30:21,23 31:2	C 2:1 4:2 85:2,2
55:1 56:1 57:1	35:9,19,25	attorney 2:5	31:5	call 33:25 38:2,3
58:1 59:1 60:1	36:14 37:24	66:19	based 7:18	38:6,7,10,12
61:1 62:1 63:1	38:8 39:14,18	attorneys 2:13	basically 26:8	82:7
64:1 65:1 66:1	40:12,20 41:19	3:5 15:21	basis 58:17	called 34:2,2,3
67:1 68:1 69:1	41:22,25 42:4	aunt 13:9 19:19	Bate 62:19 63:12	calls 82:8
70:1 71:1 72:1	42:7 43:9 45:4	26:22 58:24	beginning 70:6,7	caption 14:16
73:1 74:1 75:1	46:7,15 47:18	59:2	70:8,17 77:7	car 10:21 41:6
76:1 77:1 78:1	49:11,15,25	authorized 3:16	Behalf 1:5	42:23 48:4
79:1 80:1 81:1	50:18 51:10	avenue 12:6	believe 39:19	49:21,23 60:12
82:1 83:1,18	54:13 56:16,19	32:17	benefits 26:2	60:15,17,19,20
83:21 84:4	57:11,20 58:9	aware 18:11	79:23,24	60:21,24 61:10
85:5	59:10,22 63:5	a.m 1:23 8:17,18	big 41:16	61:11 68:15,18
action 4:20	64:3,19,23	8:20,24 9:8,8	birth 12:11	68:24
13:24 14:19,23	65:11,23 66:2	21:21,21 36:16	bit 53:6	Carmel 47:8
15:22 19:4,7	66:14 67:4,17	36:21 44:12,17	biweekly 6:17	cars 33:4 61:13
28:14 66:19	69:4,15,19	66:12	6:18	61:25
84:11	71:15 72:9	a/k/a 1:11	blood 85:15	case 33:18
additional 83:16	74:12,25 75:11		boroughs 47:13	catering 1:11,12
address 4:10	75:15 77:2	B	bottom 41:9	27:15 31:20,22
11:20 12:4	78:2,18 80:2	B 84:6	bought 60:20	cause 38:7
22:25 23:2	82:2,14,22	back 15:14	68:6	caveat 5:4
32:11	83:5,9,13	23:10 50:6	break 5:3,7	cease 25:14
administer 3:16	answer 4:25 5:6	51:21 52:2,9	22:16 46:8	Cecilia 1:4 13:3
	7:8 39:22	53:16 65:16	49:25 50:2	13:11 32:21

cell 81:14,16,20 81:24 82:10	complete 51:21 52:12	71:24 76:21	Defendant's 14:3 15:6,10	29:21 30:8,12
certain 7:21 25:8 34:17 48:23,25	completed 53:12	CORRECTION 86:3	15:14 16:2,10	44:10,15 49:20
50:15,21	completing 51:19	cost 25:16	17:3,6,9,19,21	50:10,14,24
certification 3:6	complex 32:14	counsel 85:11,19	18:4,8 27:23	53:11,23 54:4
certify 85:4	computer 42:21 53:4 66:24	Courant 9:15	28:15,19 50:7	58:4,17 66:7
change 38:23 40:9 42:12	75:25	Courier 1:10 18:12,21 76:16	56:22 62:15,18	66:11
43:14 44:22	concerning 4:20 15:21	course 46:11	62:21 63:22	deposed 13:15
46:12,16,20	connected 85:15	court 1:2 3:18 5:2	64:16 66:18	13:17
check 6:16 18:24 56:7 72:19	Connecticut 4:13 6:4 9:14	Crossways 2:14	67:5 73:3,6,9	deposition 3:15
74:18,22	11:8,10,12,15	current 10:16	73:12 75:4,10	5:20,23 18:16
checks 18:25 19:2 22:12	11:19 29:20	currently 5:25 12:22 13:10	75:18 76:8	describe 12:13
children 12:24	31:15 38:15,17	70:25	84:8	14:21
Chow 1:3 59:6	40:6 42:14	customer 50:17 50:20 51:4	deliver 6:10,24 7:13,17,19 8:5	DESCRIPTION 84:8,18,22
cities 43:13	43:18,24 44:8	53:19 56:4	9:12,16,20	designated 34:18
city 31:24 43:11 47:11,11	46:18 47:2,3,5 61:4	customers 30:14 50:15	25:6,7 31:5	Dickerman 4:12
claim 19:4,7	connection 7:10	CV 1:8	33:4 34:7 39:3	Diet 1:9,10,10,11
claims 4:20 14:22 15:21	considered 6:25	D	39:7,15,23	1:12 19:3,5,8
Class 28:14 84:11	consist 65:24	D 84:1	41:2 52:6	19:11,18 20:2
clear 36:23	consisted 30:9 30:16	daily 9:13 58:17	delivered 20:4 30:22,25 31:4	22:14 24:4,12
clients 4:18	contain 67:13	date 12:11 15:7 17:7 28:17	39:19,25 43:20	24:15 26:8
close 43:7,10	contained 63:21	62:16 67:13	50:21	27:17 30:5,23
column 65:15,17	contents 17:22	73:4,7,10	deliveries 10:22 32:9,25 36:12	37:3 57:19
come 58:11 59:21	contractor 7:2 28:8	DAVID 1:4	37:4,20 38:4	62:10 63:4
commenced 4:18	convenience 46:9	day 8:6,6,12 33:16 35:15,16	40:19 42:25	68:21 69:13
commencement 85:8	cooked 41:7	36:25 52:4,7	43:15 44:8	71:24 79:21,24
communicate 81:23 82:6	Cooler 65:14,15	52:19 54:12,18	45:2,13 46:13	80:13 81:10,24
company 18:11 61:9,17 68:24	coordinate 39:10	55:8 83:23	46:18,19 47:10	82:13
70:16,20,25	coordinated 39:8	85:6,21	47:22 48:5	Diet's 30:10,14
compared 40:6	copy 66:23 67:2 75:16 79:5	days 8:10 21:2,3 21:5,7 49:21	51:19 52:3,10	30:17 51:20
compensated 42:12 58:19	CORP 1:10,12	daytime 10:13 21:11,12	55:24 60:13,25	different 10:5
compensation 56:25 74:9,9	correct 26:10,16 29:10 30:23	declare 29:9	61:14 62:2	40:5 43:12
76:23 77:4	31:17 38:15	Defendant 1:19	67:11,19 68:7	46:22 50:15
complain 56:5	49:14 54:25	defendants 1:14 2:13 4:17	69:3,23 70:4	57:22 60:9
	65:8 67:6	14:22 29:22,24	72:8,13,17	dinner 41:14
		30:9 58:16	76:20,24 77:5	directly 85:17
			79:25 81:17,21	discuss 78:15
			delivering 21:24 22:3 30:13	discussion 6:7
			34:12 36:23	DISTRICT 1:2
			61:22	1:2
			delivery 6:6 25:6 25:9 26:12,15	document 13:25
			26:19 27:3,18	14:5 15:8,12
				15:15,24 16:5
				16:8,13 17:10
				17:13,21,25
				18:8 27:21,25

28:4,21,25	d/b/a 1:11	30:10,17	64:15 65:6,10	26:19 27:3
29:4,16 30:7	E	Excuse 19:6	FD004264 62:19	32:9,25 33:2
50:6 56:21		Exhibit 14:3	FERNANDO	33:17,20 34:7
63:13,16 66:17	E 2:1,1 84:1,6	15:6,10,14	1:3	34:12 40:19,22
66:21 67:8	85:2,2	16:2,10 17:3,6	fifteen 36:4	40:24 41:2,3,4
73:11,15,17	earliest 36:11	17:9 27:23	40:11 42:11	48:12 49:23
75:7,20 76:7,9	44:9	28:16,19 50:7	47:19	51:5 68:5 69:5
76:12	early 26:20,21	62:15,18,22	fifty 58:8	foods 20:15
documents 5:19	33:17,21 48:6	63:22 64:17	file 2:18 75:20	force 3:17
15:20 62:21,24	eat 67:22 69:2	66:18 67:5	77:17,19 78:8	forgoing 29:10
63:21,24 64:14	69:14	73:3,6,9,13	78:10,12	forgot 7:24 23:2
65:8,20 83:16	EBT 15:5 84:9	75:4,10,14	filed 25:19 79:14	31:25 32:12
doing 24:19	educational	expected 48:24	84:19	56:9
53:11 70:8	12:13	49:4,6	filing 3:6	form 3:10
dollar 7:25 8:3	effect 3:17	expenses 68:21	fill 27:19 54:3,6	former 29:21
36:10	either 7:16 13:10	experiences	filled 53:10 78:5	forms 78:5
Dolowich 1:20	17:2 54:3	58:18 59:8,9	filling 53:12	forty 14:24
2:12	Elmsford 71:6,8	explain 7:15	find 78:25	20:24 56:24
door 51:7,16	71:9	Express 1:9,10	finish 71:21	57:6,9,14
Dr 2:14	employ 85:19	1:12 18:12,20	finished 21:18	four 45:23
driver 26:12,15	employed 5:25	76:16	34:13 38:11	Fresh 1:9,10,10
26:19,22 27:3	6:3	extent 79:13	40:21 48:18	1:11,12 19:3,5
27:18 35:5	employee 29:21	extra 39:4	52:15 53:23	19:8,11,18
58:4 60:2	30:9	e-mail 50:23,25	83:2,8,12	20:2 22:14
72:17 76:21	employees 58:17		firm 2:4 78:21	24:3,12,15
77:5,14 79:20	58:19	F	first 4:3 14:16	26:7 27:17
82:11	employment	F 85:2	17:19,21 18:4	30:5,10,14,17
drivers 25:6,9	24:15 25:13	facilities 30:11	18:8 23:4	30:22 37:3
39:4,6,13,20	56:23 58:15	30:18,18 31:11	29:19 42:24	51:20 57:19
39:24 58:22	empty 34:6	31:12 51:20	49:20 50:9	62:10 63:4
59:14,18 60:5	51:22	facility 31:3	66:4,7	68:21 69:13
60:8 61:23	ended 24:14	38:14 40:6,7	five 41:21,24	71:24 79:21,24
drivers/food	entered 53:21	42:13 43:23	42:2 45:25	80:13 81:10,24
58:16	entire 65:24	49:2 52:2	50:2 56:15	82:13
driver/food	entry 66:10	61:15	five-minute 46:8	Fridays 9:6 10:5
29:21 30:8	ERRATA 86:2	failing 55:17	FL 1:10,11,11,12	10:10 35:7,8
drive-through	ESQ 2:9,17	fair 23:25 24:7	1:12	front 51:7,15
69:5,8	evening 36:24	53:8	flip 16:14	functions 26:8
driving 68:23	exact 43:20	far 43:8,10	floor 12:10	further 3:9,14
drove 43:15	Examination	Fast 69:5	focusing 58:3	7:15 83:17
drugs 5:12	1:17 4:6 84:3	favor 59:23	72:16	
Duchman 1:13	85:5,13	FD00 64:20	following 52:19	G
81:5,7,12	examined 4:5	FD004193 62:19	54:18	gas 67:25 68:2,6
duly 4:3 85:7	example 82:20	FD004251 65:4	follows 4:5	68:8,9,12,23
duties 32:24	excess 56:24	65:6	food 15:2 20:4,5	68:25 69:18
38:23 44:22	57:6,9,13	FD004254 63:13	20:6,15,17	generally 9:4
59:12	exclusively 22:3	FD004260 64:5	24:25,25 25:4	32:24

getting 19:2 71:21 72:5 give 22:15 42:22 48:23 64:3 74:20 82:20 given 33:16 37:13 42:19 63:9 go 1:11 37:25 41:13 67:25 68:3 69:6,10 78:14,25 goes 8:8 10:7 going 4:18,24 5:5 14:4 15:11 16:4,8,12 17:8 17:9 27:24 28:20 33:21 51:17 62:20 73:14 75:6 76:8 79:4,15 Gonzo 1:20 2:12 good 4:14,15 46:9 GRAB 1:11 graduated 12:15 Greenwich 47:6 grocery 69:10 GUZMAN 1:5	handwriting 63:15,18,20 64:6,15,24 65:2,7 happen 25:3 56:6 happening 56:10 hard 66:23 HARMAN 2:4 Hartford 9:15 47:6 Haven 4:13 9:13 head 6:14 7:6 14:9 32:10 35:12 36:22 44:18 45:9 80:5 health 79:19 hear 8:20 heard 39:21 hearing 25:23 heat 20:19 heater 20:19 held 1:19 6:8 26:9 85:6 helped 15:2 20:4 48:3 49:22 helping 70:17 hereunto 85:20 HERNANDEZ 1:3 high 12:15,18,19 hired 10:18 hold 70:3 HOLDINGS 1:11 home 37:25 hour 22:11 hourly 6:19,22 hours 8:15 9:2 14:24 20:22,24 21:8 56:24 57:6,9,9,13,16 58:12 63:3 70:12 house 50:16,21 66:22,25	houses 51:11 HUSSAIN 1:12 <hr/> I ice 24:20 33:3 34:6,7 41:5,9 53:15,18 65:16 identification 14:2 15:7,9,25 16:10 17:7 27:22 28:16,19 62:16,18 73:4 73:7,10,12 74:2 75:4,14 impair 5:16 income 10:15 72:6,11 increase 10:6 independent 7:2 28:8 Index 1:8 indicate 63:3 65:15,18,21 indicating 16:25 63:23,25 64:2 64:7,18,22,25 65:3,13 74:14 76:2 77:15 indirectly 85:17 individual 78:20 Individually 1:5 1:12,13,13 influence 5:12 information 78:24 79:2 insert 78:24 79:9 79:12 INSERTS 84:21 instruction 50:17 instructions 5:8 30:11 50:10,13 51:6 insurance 61:25 62:4,10,12 79:19 interacted 58:16	interaction 80:15 81:12 interested 85:17 interject 64:5 interrogatories 17:20 18:5 involved 13:21 Island 35:3 47:15 issued 22:13 72:22 <hr/> J J 2:9 Jackson 1:4,4 2:22 13:3,8 19:21 January 29:6 Jersey 27:10,12 31:15,17,24 32:3,23 33:5,9 34:19,23,24 35:14 36:13 37:4,5,7,11,15 37:21 38:24 39:7,16 40:2,3 40:7,8 42:13 42:25 43:3,5 43:16 60:25 61:24 JLC 1:8 job 30:7 61:7 70:7,12,18 jobs 70:3 JUANY 1:5 Judah 1:13 80:8 80:10 June 10:19 <hr/> K K 4:2 KAHANE 85:4 85:24 Kaufman 1:20 2:12 keep 52:22 68:5 Kenneth 1:3	59:5,6 kind 7:9 60:21 Kisco 11:16,17 11:24 25:16 kitchen 20:6,7 20:14,23 21:24 22:4,9,10,21 22:22 23:8,9 23:12 24:3,12 26:13 27:10,11 30:20 44:24 58:2 67:9 76:14 80:19 kitchens 23:7 knew 71:14 know 4:22 5:4 6:19,25 7:25 9:20 16:5 17:22 18:16,20 22:12 23:3,15 23:18 25:3,11 27:13,14 28:25 29:12,24 32:13 42:18 45:12 48:20 50:20 52:25 56:2 58:13,17 59:8 59:11,12,16 60:5 66:17 72:15 74:4,19 74:23 76:23 77:13 78:5 80:8,10 81:5,7 <hr/> L L 3:2 4:2 late 1:9 18:12,15 18:20 26:19,21 40:23 69:13 70:5 72:5,8,23 73:20 74:10,24 76:15,24 81:24 82:12 latest 36:18 44:14 LATTIMORE 1:5
--	---	--	--	---

lawsuit 13:21	16:1 17:1 18:1	75:3,9,13 76:7	mother 13:6	43:5,16 47:2,3
learn 19:17	19:1 20:1 21:1	Marquis 1:4,18	32:20 60:20	47:7,8,11
learned 19:19	22:1 23:1 24:1	4:9 83:21 84:4	62:8	60:25 61:24
lease 60:17	25:1 26:1 27:1	85:5	Mount 11:16,17	71:4,5
leave 48:9 51:7	28:1 29:1 30:1	marriage 85:16	11:24 25:16	News 9:13
51:14 79:4	31:1 32:1 33:1	married 12:22	move 24:14	newspaper
leaving 41:2	34:1 35:1 36:1	matter 85:18	moved 23:9,15	71:16,22,23
54:2	37:1 38:1 39:1	meal 41:7 45:2	24:11 25:15,15	newspapers 6:10
left 11:23 40:21	40:1 41:1 42:1	46:13 47:21	32:5 38:14,23	night 1:9 9:21
59:24 78:23	43:1 44:1 45:1	51:14,19 69:22	42:13 43:24	10:3 18:12,15
list 59:3	46:1 47:1 48:1	72:12,16	44:21,24	18:20 34:10
litigation 4:17	49:1 50:1 51:1	meals 21:24 22:3	multiple 55:11	35:5,23,24
little 53:6	52:1 53:1 54:1	30:13,22,25		36:24 37:8,9
live 32:19	55:1 56:1 57:1	31:4 35:4	N	37:18,19 42:19
lived 32:16	58:1 59:1 60:1	41:13,15,16	N 2:1 3:2 4:2	47:16 54:7
living 32:2	61:1 62:1 63:1	52:7	84:1	55:24 65:21,25
LLP 1:21 2:12	64:1 65:1 66:1	mean 61:18 66:7	name 4:8,16	67:15 69:13
lobby 51:15	67:1 68:1 69:1	66:11 71:19	14:15 18:23	70:5 72:8,23
locate 79:13	70:1 71:1 72:1	72:3	27:11 31:19,21	73:20 74:10,24
located 22:21	73:1 74:1 75:1	meant 29:12	31:25 32:12	76:15,24 81:24
31:16,24 32:23	76:1 77:1 78:1	medications	70:16,20 73:17	82:12
43:11	79:1 80:1 81:1	5:10	76:17 79:6	nights 35:13
location 23:15	82:1 83:1	meet 27:5,9 39:6	80:8 81:5	nighttime 21:12
24:11 32:4	maintain 81:14	MELISSA 85:4	84:23	Nissan 60:22
33:6,9 35:14	maintenance	85:24	nature 14:21	61:3,6
36:13 37:4	68:14	met 27:6 40:2	near 23:6	nods 6:14 7:6
40:15 43:2	making 44:10,15	MICHAEL 1:5	need 5:3 16:14	14:9 32:10
44:9,22 45:14	47:17 48:5	mile 36:8 42:16	49:25 76:5	35:12 36:22
46:14,23 47:21	manager 27:6	60:7	never 28:11	44:18 45:9
47:25 61:2,5	Manhattan	miles 42:18,23	30:22 45:2	non-employee
long 6:11 11:4	47:14 60:8	67:14	54:20,22,24	74:9
11:12 12:2	manifest 62:14	minutes 16:17	56:24	noon 21:13 46:7
25:11 41:18	62:25 63:9	22:16 41:21,24	new 1:2,21,22,24	Notary 1:23 4:4
45:10 71:20	67:6 84:12	42:2,3,6 50:2	2:7,7,15 4:4,13	83:25
look 16:4 28:22	March 10:20	Monday 8:13	9:13,14 11:7,9	Noted 83:19
looking 15:14	20:12 22:6,23	9:4,7,21 35:20	11:16,17,25	Notice 1:19 15:5
30:6 50:7	23:18,25 24:8	Mondays 8:7	12:21 27:10,12	84:9
56:21 65:10	26:16 43:23	9:10 35:20,20	31:15,17,24	number 7:18
66:10 76:7	44:25 45:11	money 56:7	32:3,23 33:5,9	12:7,9 35:23
lost 75:23 76:3	75:18	74:16	34:8,19,23,23	64:4 67:13,14
lunch 41:14	marked 14:2	month 26:20	34:24 35:2,14	74:2
	15:6,9,25 16:9	45:17	36:13 37:3,5,5	numbered 62:19
M	17:6,9 27:22	months 6:12,13	37:7,8,11,15	numbers 65:14
M 4:2 5:1 6:1	28:15,18 50:6	45:12,19,21,23	37:16,21,21	65:17
7:1 8:1 9:1	62:14,17 63:12	45:25 46:3,5	38:24 39:7,16	NY 1:10,10,10
10:1 11:1 12:1	64:14 66:18	morning 4:14,15	40:2,3,7,8,8	
13:1 14:1 15:1	73:2,5,8,12	36:24 37:10	42:13,25 43:3	O

O 3:2	Okay 50:3 79:10	9:12,20,24	21:23 27:17	Pollack 2:17 4:7
Oakridge 11:21	79:17	66:25	32:3,7 36:12	4:16 22:17
oath 3:16	old 34:6,9 39:17	paperwork	37:4 38:4	46:11 50:3
object 7:7	once 83:14	51:21 52:13	40:19 42:25	77:9 83:15
objection 7:4	opposed 33:16	53:11,21 54:12	43:15 44:8	84:4
16:23 18:13,18	order 32:25	54:17,25 55:17	46:13,17 52:3	position 19:17
18:22 20:3,10	43:21	55:20	55:23 58:4	26:24 27:4
23:24 24:5	original 75:24	paragraph	60:13,25 61:14	Post 9:14,14
25:5,10,22	outcome 85:18	29:19,25 30:6	62:2 67:10	preparation
28:2,9 29:14	overtime 20:25	50:8 51:17,18	70:4,21 72:7	5:20,22
30:2,24 31:10	21:22 56:25	56:22 58:14,14	72:12,16 79:20	prepared 30:12
33:10 34:15	58:12	58:23	79:25 81:17,21	PRESENT 2:21
35:9,19,25	owners 80:11	Park 2:14	period 26:23	previous 34:10
36:14 37:24	81:8	part 8:20 25:12	79:24	previously 14:2
38:8 39:14,18	<hr/> P <hr/>	50:21 66:19	perjury 29:9	15:25 16:9
40:12,20 41:19	P 2:1,1 3:2	76:20	personal 22:16	27:22 76:19
41:22,25 42:4	pack 20:4,15	particular 65:21	80:14 81:11	Princeton 40:4
42:7 43:9 45:4	24:25 34:7	parties 3:5 85:16	personally 30:13	61:23
46:15 47:18	41:4,18 42:10	party 85:10	Persons 1:6	printed 75:23,25
49:11,15 50:18	48:3	Passat 60:23	PETER 2:9	produced 66:17
51:10 54:13	packed 20:6	61:12	Philadelphia	production
56:16,19 57:11	packers 24:21	pay 52:25 53:5	39:20,23	79:15 83:16
57:20 58:9	24:22,24 25:4	57:2 62:4,6	Philly 39:3,13	84:17
59:10,22 63:5	packing 24:20	68:14,17 72:18	61:23	provide 32:25
65:23 66:2,14	34:13 40:21,24	74:17,23 77:23	phone 81:14,16	provided 15:20
67:4,17 69:4	41:2	payer's 76:16	81:20,25 82:10	Public 1:23 4:4
69:15,19 71:15	packs 65:16	payments 62:10	phonetic 73:23	83:25
72:9 74:12,25	page 14:16 29:3	PC 2:4	physical 67:2	purchased 68:6
75:11,15 77:2	50:8 64:4 84:3	PCF 6:4,5,9,11	pick 25:7,9	pursuant 1:19
78:2,18 80:2	84:8,18,22	6:15 7:2,10	picked 48:2,3	put 20:15,18
82:2,14,22	pages 28:23	8:11 10:24	53:17,18	24:25 25:4,8
83:5,9,13	64:16	70:22,23 71:13	place 27:15	33:2,2,3,4 41:5
objections 3:10	PAGE/LINE	pending 5:5	31:22 32:16	41:5,6,9 42:20
obtain 27:4	86:3	83:15	46:9 73:23	42:21 48:4
obtaining 30:12	paid 6:15 7:12	percentage 6:23	placed 51:5	49:21,22 53:14
occasion 56:11	7:16,16,21	7:12	places 50:16	55:22 56:2
80:22	22:8,10 36:6	perform 10:21	Plains 71:12	74:13,17,17,21
occasions 55:11	56:25 60:5,6,9	19:10 32:25	plaintiff 1:18	putting 24:20
occupation	60:10 68:24	47:10,21 60:3	14:19	55:21
10:12	71:13,14,16	performed 19:5	Plaintiffs 1:7 2:5	p.m 8:17 21:16
October 1:22	Palmer 12:21	19:8 45:2,13	plaintiff's 17:19	33:13,13,15,16
19:16 23:19	paper 6:6 7:21	46:19 54:4	17:20 18:3,7	34:4 48:6,13
24:16 25:14	42:22 50:22	67:19 69:22	plastic 20:18	49:7,10,14
85:6,21	70:9,21	76:20,25 77:5	please 4:8,11,22	66:8 70:14,14
officer 3:16	papers 6:23 7:12	82:11	5:4	83:19
offices 1:20	7:17,18 8:5	performing	point 26:3,12	
Oh 71:17		19:15 20:23	38:15 69:22	<hr/> Q <hr/>

question 3:11 4:21,24 5:5,6 16:12 75:12 77:3	regular 57:2 reimbursed 62:9 reimbursement 68:12,20	requesting 5:6 requests 17:22 18:9 84:17 required 51:21 52:12	37:13 40:5 42:22 43:14 46:12,16,20,22 46:25 52:14,15 55:16 61:20 63:2,10 65:21 65:24 70:9,19 70:21 83:2,3,6 83:8,12	28:20 62:21 73:14 75:6 76:9 send 82:24 sentence 50:9 51:18,23 58:20 September 14:3 16:2,11 19:16 23:19 24:16 25:14 27:23
questions 4:19 4:25 5:17 13:20 83:17 quit 70:6,18 71:18	relationship 13:2,7 remainder 18:16 remember 11:20 12:4,7 14:10 16:18,19,24 17:2 18:6,10 19:14 20:8 21:5,8 22:25 23:17 25:25 26:5,6,18,20 27:20 28:5,7 28:11,13 31:21 31:23 34:16,25 35:4,13 36:3,6 38:17,21,22 39:9 40:3,18 41:20 42:8,9 43:4,6 44:5,7 45:15,16 46:6 49:12 55:9,15 56:10,14,20 59:4,20 62:13 65:9 72:22 75:2 77:15 78:7,9,11,22 79:6 81:4	reside 11:15,24 13:10 residence 11:22 12:5 residences 9:16 9:18 51:8 resident 11:10 11:13 29:20 residing 73:22 74:6 resigned 25:17 25:19 respective 3:5 respond 5:16 responses 17:19 17:21 18:4,8 responsibilities 30:8 59:13 rest 59:4 restaurant 27:14 69:6 restroom 67:25 68:3 return 34:6 51:20,22 returned 52:4,6 returns 77:17,19 77:20,22 78:8 78:10,12 79:14 79:16 84:19 review 5:19 right 63:23,25 64:7 79:8,11 79:18 Road 11:21 12:21 Robbabins 73:23 rocks 20:19 room 13:18 route 34:17,22	routes 30:12 50:10,14 row 66:4	series 4:19 Services 1:10 18:12,21 76:16 set 17:20,21 18:4 18:8 85:20 seven 46:5 58:14 seventy 57:16 Seymour 12:6 32:17 shakes 80:5 SHEET 86:2 show 16:8 17:8 21:13 33:15 47:20 48:20,22 48:24 49:4,6,9 49:13,18 showing 13:25 15:8,24 27:21 28:18 30:10,17 62:17 73:11 75:3 sick 69:25 side 11:23 Siegel 23:3,5,16 24:3 30:20 31:4 44:3,21 44:23 45:3,14 46:14,16,19,23 47:21,25 Sienna 60:22 61:12 sign 7:9 17:15 27:16 29:6 signature 17:13 29:3,8 signed 3:15,17 17:25 29:13,17
R R 2:1 4:2 85:2 rate 57:2 read 17:18 29:16 77:10 ready 48:12 recall 17:24 18:3 18:7 31:19 receipts 68:5,8,9 receive 6:19,22 50:13,25 51:5 55:19 67:8 72:6,11 77:4 79:23 received 50:9 73:19 74:10,15 74:23 75:18 76:23 receiving 11:4 26:2 30:11 recess 22:19 50:4 Recipient's 73:25 recognize 65:7 record 4:8,10 6:8 7:8 42:23 77:10 78:23 79:5,9 85:13 refer 18:15 67:5 referring 18:17 18:25 29:25 30:19 58:22 64:19 65:4 reflect 74:8 regarding 50:14 Register 9:13	remember 11:20 12:4,7 14:10 16:18,19,24 17:2 18:6,10 19:14 20:8 21:5,8 22:25 23:17 25:25 26:5,6,18,20 27:20 28:5,7 28:11,13 31:21 31:23 34:16,25 35:4,13 36:3,6 38:17,21,22 39:9 40:3,18 41:20 42:8,9 43:4,6 44:5,7 45:15,16 46:6 49:12 55:9,15 56:10,14,20 59:4,20 62:13 65:9 72:22 75:2 77:15 78:7,9,11,22 79:6 81:4 repairs 68:17 repeat 24:6 37:12 72:10 75:12 77:3,8,9 rephrase 4:23 report 51:21 52:9 83:11 reported 71:23 reporter 5:2 77:11 reporting 51:25 represent 4:16 represented 85:11 requested 76:3 83:17	requesting 5:6 requests 17:22 18:9 84:17 required 51:21 52:12 reserved 3:11 reside 11:15,24 13:10 residence 11:22 12:5 residences 9:16 9:18 51:8 resident 11:10 11:13 29:20 residing 73:22 74:6 resigned 25:17 25:19 respective 3:5 respond 5:16 responses 17:19 17:21 18:4,8 responsibilities 30:8 59:13 rest 59:4 restaurant 27:14 69:6 restroom 67:25 68:3 return 34:6 51:20,22 returned 52:4,6 returns 77:17,19 77:20,22 78:8 78:10,12 79:14 79:16 84:19 review 5:19 right 63:23,25 64:7 79:8,11 79:18 Road 11:21 12:21 Robbabins 73:23 rocks 20:19 room 13:18 route 34:17,22	S S 2:1 3:2,2 4:2 84:6 sat 13:18 Saunders 12:19 saw 14:10 16:24 17:2,24 55:8 says 17:18 29:9 29:20 30:7 50:9 51:18 56:22 57:5 58:15 66:4 73:25 75:17 76:15 Schloss 1:13 80:8,10 school 12:15,18 12:19 sealing 3:6 second 12:10 50:8 see 14:15 17:18 29:8,19 30:7 50:11 51:23 57:3,7 58:20 63:13,20 64:15 73:25 75:17 76:15 seeing 18:3,7 seek 68:11,20 seen 14:4,8,13 15:11 16:6,13 16:19,22 17:10 27:24 28:4,6	send 82:24 sentence 50:9 51:18,23 58:20 September 14:3 16:2,11 19:16 23:19 24:16 25:14 27:23 series 4:19 Services 1:10 18:12,21 76:16 set 17:20,21 18:4 18:8 85:20 seven 46:5 58:14 seventy 57:16 Seymour 12:6 32:17 shakes 80:5 SHEET 86:2 show 16:8 17:8 21:13 33:15 47:20 48:20,22 48:24 49:4,6,9 49:13,18 showing 13:25 15:8,24 27:21 28:18 30:10,17 62:17 73:11 75:3 sick 69:25 side 11:23 Siegel 23:3,5,16 24:3 30:20 31:4 44:3,21 44:23 45:3,14 46:14,16,19,23 47:21,25 Sienna 60:22 61:12 sign 7:9 17:15 27:16 29:6 signature 17:13 29:3,8 signed 3:15,17 17:25 29:13,17

significantly 56:23 57:5	47:14	52:25 55:6	10:20 11:18	50:5 53:14,21
signing 28:7	STATES 1:2	59:24 68:11	12:3 18:23	55:12 57:18
similar 27:25	stay 25:11	69:12 76:2	19:12,16 20:11	58:3 65:18,19
similarly 1:6	stenographica...	82:17,18	20:11 21:3,15	67:18 69:22
71:13	85:9	S-A-U-N-D-E-...	22:10 23:4,5	70:4 71:22,22
Situated 1:6	STIPULATED	12:19	23:20 26:21	72:2,3,4,7,12
six 9:2 21:3	3:4,9,14	T	27:15 31:5,20	72:16 73:22
41:16 46:3	stop 36:9,10	T 3:2,2 84:6 85:2	31:21 33:11	79:20 82:11
56:22	42:16,24 53:13	85:2	35:21 36:4,8	83:2,19
sixty 57:16,24	54:8,9 60:11	take 5:2,3 14:6	36:15 38:14	times 9:14 31:6
58:6	82:19,23	16:4,17 41:18	40:4 44:11	31:6 38:9
sole 10:15	stopped 19:14	46:8 50:2 56:7	46:4 48:19	52:21 53:13
somebody 82:15	stops 35:23 39:5	67:18,21 69:2	53:3 56:17	55:14 56:13
soon 40:21 53:25	40:9 42:19	69:21 72:19	57:12 60:11	57:2 62:7
sorry 8:19,23	43:4 47:16	taken 1:18 22:19	64:24 65:2	today 4:18 5:10
14:12 64:23	59:17 60:3	50:4 85:9	66:3 71:12	5:17 14:5
source 10:15	67:14 70:18	talking 33:6	75:16,22,22,24	15:12 16:6,13
72:7,12	street 1:21 2:6	51:9	75:25 76:13	16:20,22 17:11
SOUTHERN	4:12 22:25	Tappan 47:9	77:14 78:3,3	28:21 62:20
1:2	24:3 30:20,23	tasks 59:12	78:19,19 79:3	73:15 75:7
space 78:23 79:4	31:2,4 32:12	tax 72:19 77:17	80:18 82:17	76:9
speak 5:22 80:21	44:3,21 45:3	77:19,20,22	83:14	today's 5:20,23
81:2	45:14 46:14,19	78:5,8,10,12	third 29:3 30:6	told 26:23 38:10
specific 56:11	46:23 47:21,25	79:13,16 84:19	thirty 35:6 40:13	tolls 74:13,16,21
spent 74:21	submit 68:11	taxes 72:17 76:6	42:11 57:12,13	top 41:11
spoke 80:16 81:3	Subscribed	77:23 78:15	58:12	total 74:15
Stamford 38:18	83:22	Telephone 82:8	thirty-five 47:19	Toyota 60:22
38:19,24 40:14	Suite 1:21 2:6,14	tell 33:20,24	thought 39:21	train 25:16
stamp 62:19	summer 20:5	39:12 48:22	three 6:12,13	transcribed
63:12	summertime	49:9 50:23	9:22 26:8 31:6	85:10
stand-alone 51:8	23:21 24:2,8	69:12	41:15 42:3	transcript 79:6
start 26:2 34:12	Sunday 8:9,13	tells 74:20	45:21 50:8	85:12
36:23 37:20	9:5	ten 35:7,8 56:18	51:18 61:13	travel 37:7
40:18,24 48:5	Sundays 9:6	Teresa 1:4 2:22	Thursday 8:8	trays 20:15,16
51:25	10:6,10 35:18	13:8,11,12,13	9:7,21	trial 1:17 3:12
started 19:23	35:22	19:21	Thursdays 9:10	85:5,13
26:18 27:2,17	supervised	testified 4:5	tie 56:4	true 29:10 43:25
31:16 32:3,7	58:19	39:19 76:19	ties 33:3 55:22	85:12
41:2 51:2,3	sure 55:22	testimony 85:8,9	56:2	truthfully 5:16
55:23 60:24	switched 20:6,9	text 82:4,15,17	time 3:11 5:4	try 4:22 7:8
61:22 67:10	22:2 57:25	82:18,21 83:7	10:16 14:6	Tuesdays 35:17
81:17,21	sworn 3:15,18	texted 82:12	22:2,20 32:2,6	Turning 50:6
State 1:23 4:4,8	4:3 83:22 85:7	Thank 22:18	33:8 34:14,18	63:12
4:10 11:7,9	Syed 1:12 27:8	thereof 17:22	36:7 40:16	twenty 35:6
statement 53:8	33:23 38:3	thing 36:2	44:9,14 46:17	57:12,13 58:11
Staten 35:3	39:10 49:8	think 5:15 9:22	46:18 47:20	twenty-five 36:5
	50:19,23,25		48:23,25 49:20	40:11

twice 83:14	want 16:16 51:4	19:10,15,19	39:11 40:13	YS 1:11,12
two 9:22,24 12:3	64:4	20:23 21:23	41:3,8,11,16	Z
21:7 22:16	wanted 50:15,20	23:7,12 27:17	42:2,17 43:22	Zaimi 1:13 81:5
23:7 31:6,6	warehouse	32:3 52:5,6	44:2,4,13 45:5	81:7
42:6 45:19	23:11 24:17,19	57:10 79:20	45:7,18,20,22	Zee 47:9
type 9:12 25:23	26:13 31:8	82:11	45:24 46:2,21	\$
27:16	warned 54:24	worked 14:24	46:24 47:4,12	\$0.53 36:8 42:16
typical 58:18	55:2,3	19:23 20:13	48:9,14,17	60:7
59:9	warning 54:11	21:3 23:10	49:3,3,5 50:19	\$1 42:16
U	54:16,20,22	24:11,16 56:23	51:11 52:8,17	\$3 60:11
U 3:2 4:2	warnings 55:19	57:5,19 63:4	52:20 53:9,15	\$5 60:11
understand 4:21	55:21	working 6:11	53:18,20 54:5	\$51,786 74:11
5:8 14:18	wasn't 33:17	19:24 20:22	54:10,14,21	0
15:15,17,19	53:7 56:4	21:2,9 22:3,8	55:2,4,21,25	055611-0002
understanding	way 42:12	22:22 24:2	56:12 57:15,17	2:18
4:24 76:11	Wednesdays 8:8	26:7 31:7	57:23 58:5,7	06511 4:13
unemployment	week 8:10 14:24	35:14,17 71:3	59:7 60:8	1
10:25 11:3,5	20:24 21:2,4	76:13	61:16 62:3	1 17:16
25:20,24	35:15,21 53:5	wouldn't 49:13	63:25 64:9,11	1:05 83:19
UNITED 1:2	53:5,8 56:24	wrap 20:18	64:13 65:5	10/23/89 12:12
use 10:21 60:12	57:6,10,16,18	X	66:3 67:3,12	10:50 1:22
62:25	58:12	x 1:3,15 84:1,6	68:2,2,4,10	100 1:21
usually 36:2,3	weekends 10:8	Y	69:9,11 70:15	10019 2:7
43:12 48:3,18	weekly 6:17	Yale 2:17 4:16	70:24 71:2,4	10038 1:22
49:3,17	went 11:19	84:4	71:10,17,25	1099 72:22 73:2
V	44:24 51:13	yeah 6:6 7:3,20	72:24 73:16	73:5,8,19
vacations 69:21	78:20	7:22 8:4,7,14	74:3 75:19,25	84:13,14,15
van 61:7,9,17,19	West 2:6	8:25 9:3,9,11	76:4,18,22	11-2764745 74:4
61:21 68:24	we're 33:6 51:9	9:17,19 10:4,7	77:6,24,24	11797 2:15
varied 35:23	72:15	10:11,17,23	78:3 80:16,20	12 1:8
vary 8:6 53:5	WHEREOF	11:21 12:6	80:23 82:3,9	12:00 21:19,19
verbally 4:25	85:20	13:12,14 14:7	83:4	21:20,21
44:19 80:6	White 1:4 71:12	14:14,17,20	year 11:6,14,18	13 14:3 15:14
Verification	William 1:21	17:4,12,14	72:23 74:10,24	135 2:14
17:5 84:10	WILLIAMS 1:4	19:25 21:12,17	years 12:3	15 84:9
Versa 60:22 61:3	withheld 72:17	21:22,22 23:4	Yonkers 12:21	17 16:2,11 84:10
61:6,12	witness 4:2 6:14	23:23 24:10,13	32:5,6,11	18 27:23
Volkswagen	7:6 8:22 14:9	24:18,23 25:18	73:23	2
60:23	14:14 32:10	26:4 27:6	York 1:2,21,22	2 1:22
Voluck 1:20	35:12 36:22	30:25 31:5,9	1:24 2:7,7,15	2nd 85:6,21
2:12	44:18 45:9	32:8,15 33:14	4:4 9:14 11:7,9	2:00 40:17,23,25
W	64:21 80:5	33:20 34:11,21	11:16,17,25	2:25 66:12
wage 6:20,22	84:3 85:7,14	36:2,17 37:2,6	12:21 34:23	2:30 8:16,17,20
wait 37:12 49:23	85:20	37:14,17,19,22	35:2 37:5,8,16	
waived 3:7	Woodbury 2:15	38:16,20,25	37:21 40:8	
	work 7:10 8:10		47:2,3,7,8,11	
	10:24 19:5,8		71:4,5	

9:8 40:17	300 9:25	7:13 66:8
20 14:3 27:23	3236 12:8	711 69:10,11
200 2:6 9:25	33 11:21	713 66:5
2007 12:17		73 84:13,14,15
19:12 26:9,19	4	79 84:19,23
26:21 70:11	4 16:2 17:3 84:4	
77:17 79:14	4:00 21:15,16,17	8
81:18,21	44:11,12 48:19	8.50 22:10
2007-2011 84:19	49:18,19	8:00 48:11,15,16
2007/2008 26:16	400 10:9,9	49:14
2008 19:13	41 15:6,10 84:9	8:30 8:16,22,24
26:20,21 77:19	42 17:6,9 84:10	
77:25 78:3	4260 65:20 66:4	9
2009 78:4,8,19	4261 64:6	900 2:6
201 2:14	4262 64:10	
2010 73:2,5,20	4263 64:12,15	
74:6,10,24	65:7,10,20	
78:10 84:13,14	66:10	
2011 19:13,14	43 28:16,19 50:7	
20:5,8 22:6,23	56:22 84:11	
23:18,19,22,25	4339 1:8	
24:2,8,8,16	44 62:15,18,22	
25:14 26:9,16	63:22 64:17	
43:23 73:8	66:18 67:5	
75:18 76:20,25	84:12	
77:7 78:12	45 73:3,13 75:10	
79:15 80:18	75:14 84:13	
84:15	46 73:6 75:4,18	
2013 1:22 14:3	84:14	
16:2,11 17:16	47 73:9 76:8	
27:23 29:6	84:15	
83:23 85:7,21		
21 4:12 75:18	5	
215 1:21	5 16:10 17:3	
25 29:6	57th 2:6	
28 84:11		
	6	
3	6:00 33:12,13,16	
3 4:12	36:20,21 40:16	
3:00 21:17,20,21	40:17,23,25	
33:11,13,15	44:16 47:23	
34:4 36:15,16	48:10,14,19	
40:16 47:23	70:13,14	
48:6,10,13	6:30 9:7,8	
49:3,4,7,10,18	62 84:12	
49:19 70:13,14		
72:5	7	
	7 73:23	